IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

Bail Appl..No. 4494 of 2007()

CRMP.2330/2007 of DISTRICT COURT, PALAKKAD

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(CRIME NO.18/2007 OF AGALI EXCISE RANGE)

: PETITIONER/ACCUSED NO.2

JAYAKUMAR, AGED 34, S/O. CHINNATHAMBI,
KONGATTUROADARIKATHU PUTHEN VEEDU, VAZHICHAL
VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM,
NOW RESIDING AT HOUSE NO.62, PUTHENVEEDU,
KOOKKUPALAYAM, THAVALAM, AGALI VILLAGE,
MANNARKKADU TALUK, PALGHAT.

BY ADV. SRI.MANSOOR.B.H.

RESPONDENTS: COMPLAINANT

THE EXCISE INSPECTOR,
AGALI EXCISE RANGE, REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.4494 of 2007

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Dated this the 25th day of July, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 190x150 millilitres of arrack in packets, when he was intercepted by the authorities, along with co-accused on 24.06.2007. The petitioner was arrested and he continues in custody from that date. The learned Public Prosecutor submits that the petitioner is also involved in one other case under the Kerala Abkari Act.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the Investigating Officer is granted reasonable further time to complete the investigation and I am satisfied that the petitioner, who continues in custody from 24.06.2007, can now be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i)i) The petitioner shall not be released on bail on the strength

of this order prior to 08/08/2007. The police shall, in the meantime, make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj